

Attorney Docket Number: FSP0291  
Application Number: 09/759,935

-7-

### REMARKS

In an office action mailed on 07/27/2007, claims 22-41 are rejected under 35 USC 103(a) as unpatentable over Son, US Pat. #6697376 in view of Ritchie, US Pat #5790523.

#### **Son in View of Ritchie Does Not Teach Use of the Group Identifier in a Terminal Request for VOD Data**

In Son subscriber equipment does transmit the Logical Node identifier upstream, but not in a request for video on demand data. Figures 6 and 7, and the corresponding description at col. 9, line 53 to col. 10, line 29 show very clearly that the Logical Node identifier is not sent with the VOD request of the subscriber equipment. Rather, the Logical Node id is received by the equipment once it is assigned by the SCM, and the equipment later transmits the id back in order to provide network configuration verification to the SCM. The upstream transmission is not done in, or in conjunction with, a VOD request.

Ritchie teaches a customer interface unit (CIU) for each customer of the network. The CIU has a unique predetermined serial number that can be used to identify the customer. Ritchie teaches that the CIU serial number is sent upstream whenever the CIU requests service.

The CIU serial number of Ritchie is not a 'group identifier' as that term is used in the present claims and specification. It specifically identifies a specific subscriber to the network. Ritchie col. 19, lines 35-63. There is no suggestion in Ritchie that a group id, provided from upstream, could be saved and later used in a VOD request. The combination of Son and Ritchie would lead to a system where the CIU would use the logical node id for network configuration verification, and would use the CIU serial number for service requests. Clearly then Ritchie teaches away from the present claims, by teaching use of a subscriber-specific ID (the CIU serial number) instead of a group id in upstream service requests.

Attorney Docket Number: FSP0291  
Application Number: 09/759,935

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-8-

Thus, one skilled in the art would not be led to the present claims by combining the teachings of Son and Ritchie, at least because 1) the logical node id of Son is not suitable for uniquely identifying subscribers in service requests as taught by Ritchie, and 2) the combination of Son and Ritchie does not anywhere suggest or imply that a group id sent downstream would later be used in upstream service requests.

### **Conclusion**

For at least the reasons provided, all of the claims should be allowed. The Applicant has repeatedly distinguished the present claims over various references cited by the Office, alone and in combination. If an interview would help further the prosecution, the Examiner is urged to contact the Applicant at the numbers provided below.

Respectfully Submitted by:

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